

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

GENERAL AKECHETA MORNINGSTAR

PLAINTIFF

V.

NO. 3:20CV30-NBB-JMV

KROGER COMPANY

DEFENDANT

ORDER

This matter is before the Court on the motion of Defendant to strike Plaintiff’s motion for sanctions [Dckt. Entry # 30]. The matter has been briefed, and the Court is prepared to rule.

Rule 12(f) of the *Federal Rules of Civil Procedure* provides that a court may strike any “redundant, immaterial, impertinent or scandalous matter” from a pleading. Plaintiff’s recent motion for sanctions [Dckt. Entry # 30], supporting memorandum [Dckt. Entry # 31], and reply in support thereof [Dckt. Entry # 39] are all impertinent and scandalous on their faces. In short, Plaintiff’s insistence that Defendant’s benign rebuttal in support of its Motion to Continue Case Management Conference [Dckt. Entry # 29] is a “terroristic threat” and accusations that opposing counsel’s firm has a history of unethical conspiracy and vile acts—even referencing murder—are, to say the very least, outrageous, immaterial allegations untethered to any supporting facts, so much so that no further discussion on the subject is warranted. The motion for sanctions [30], supporting memorandum [31], and the reply [39] in support thereof are **STRICKEN**.

SO ORDERED this 13th day of May, 2020.

/s/ Jane M. Virden
U. S. MAGISTRATE JUDGE